

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE APPLICATION FOR A LICENSE OF

W. RIGGS BAGAN, M.D.,

Applicant

ORDER RENEWING THE LICENSE

On November 12, 1992, the Board of Medical Examiners of the State of Iowa filed its Complaint and Statement of Charges alleging a number of violations of the Code of Iowa in connection with Dr. Bagan's practice of medicine in that state. Charges included commitment of fraud in procuring his Iowa license, and inability to practice medicine and surgery with reasonable skill and safety by reason of excessive use of alcohol. On December 9, 1997, Dr. Bagan filed his application for a license to practice medicine and surgery in the State of Wisconsin. Because of the disciplinary proceeding in Iowa, Dr. Bagan was asked to appear for oral examination in connection with his application. Dr. Bagan appeared before the board at its meeting of January 22, 1998, and the board considered his application on that date and again on April 22, 1998. The board and Dr. Bagan thereafter entered into a Stipulation by which Dr. Bagan agreed to accept a limited license. The board's May 21, 1998, Order Adopting the Stipulation provided that the term of the license was to be three months, with provision for three month renewals of the license conditioned upon Dr. Bagan's demonstrated compliance with all the terms and conditions of limitations during the preceding three months.

On September 24, 1998, the board considered Dr. Bagan's request for a renewal of the license. Based upon that request, and upon other information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the license of W. Riggs Bagan, M.D., is hereby renewed for a period of three months.

Dated this 1st day of October, 1998.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by Wanda Roevers
Wanda Roevers
Board Secretary

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE MEDICAL EXAMINING BOARD

In the Matter of the Application for a License of

W. Riggs Bagan, M.D.,

AFFIDAVIT OF MAILING

Applicant.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On October 12, 1998, I served the Order Renewing the License dated October 1, 1998 upon the Applicant W. Riggs Bagan, M.D. by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Applicant and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is Z 233 819 874.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Applicant's last-known address and is:

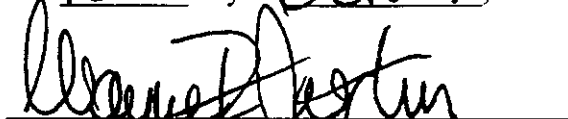
W. Riggs Bagan, M.D.
2802 River Hills Road
Fort Madison IA 52627



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 12th day of October, 1998.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF RIGHTS OF APPEAL

TO: W RIGGS BAGAN MD

You have been issued an Order. For purposes of service the date of mailing of this Order is 10/12/98. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

A. REHEARING.

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Order is shown above.

A petition for rehearing should name as respondent and be filed with the party identified below.

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Order if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison WI 53708-8935